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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Alexander M. Rubenchik et al.      Docket No.: P1-19  
Serial No. : 09/834,554      Art Unit: 3743  
Filed : April 12, 2001      Examiner: Camtu Tran Nguyen  
For : Ultrasound Plaque Emulsion Device

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.181(a)**

The applicants hereby petition the Commissioner to withdraw the holding of abandonment mailed October 8, 2004. The petition should be granted because the applicants timely filed the attached **Part B -Fee(s) Transmittal** with Certificate of Mailing or Transmission (in duplicate) in response to the Notice of Allowance and Fee(s) Due mailed April 20, 2004, which was received in the USPTO on July 20, 2004 as evidenced by the attached copy of the Auto-Reply Facsimile Transmission.

The applicants therefore respectfully request that the holding of abandonment be withdrawn, and that the attached issue fee payment for small entity and publication fee be entered and the patent issue is due course.

Respectfully submitted,

John P. Wooldridge  
Attorney for Applicant  
Registration No. 38,725

Dated: December 8, 2004

## Auto-Reply Facsimile Transmission

TO: Fax Sender at 1-925-215-2542  
Fax Information  
Date Received: 7/20/2004 3:23:03 PM [Eastern Daylight Time]  
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Ter Mail Stop Issue Fee Page 1 of 5		2004-07-20 19:20:27 (GMT)	1-925-215-2542 From: John Wooldridge
Return fax: 925-215-2542 Telephone: 808-875-0012		John P. Wooldridge, Esq.	
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Fax:	(703) 872-9308	Pages:	5 (including this cover)
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**John P. Wooldridge, Esq.**

# Fax

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## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

04/20/2004

John P. Wooldridge  
1334 Ridgestone Court  
Livermore, CA 94550

EXAMINER

NGUYEN, CAMTU TRAN

ART UNIT

PAPER NUMBER

3743

DATE MAILED: 04/20/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,554	04/12/2001	Alexander M. Rubinchik	P1-19	4903

TITLE OF INVENTION: ULTRASOUND PLAQUE EMULSION DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	07/20/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

## I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☒ Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



PATENT

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For : Ultrasound Plaque Emulsion Device

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that the *attached* correspondence comprising:

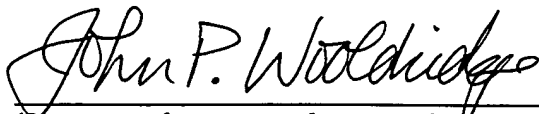
1. Petition Under 37 CFR 1.181(a);
2. Copy of Documents Filed in USPTO on 7/20/2004:  
Fax Cover Sheet, Notice of Allowance and Fee(s) Due, Part B - Fee(s)  
Transmittal with Certificate of Mailing or Transmission (in duplicate);  
Application for Change in Correspondence Address;
3. Copy of Auto-Reply Facsimile Transmission;
4. Certificate of Mailing; and
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is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Petition  
Commissioner for Patents  
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Alexandria, VA 22313-1450

on December 8, 2004

John P. Wooldridge  
(Type or print name of person mailing paper)

  
(Signature of person mailing paper)

# NOTICE OF FEE DUE

DATE: 12-16-04

TO: DAC

FROM: Office of Initial Patent Examination

SUBJECT: Fee Due

APPLICATION NUMBER 09834544

*wrong #*

A fee is due for the attached document submitted to the U.S. Patent and Trademark Office for the following reason. Please check the application for the appropriate authorization to charge a deposit account. If an authorization is present, please charge the appropriate fee. If an authorization is not present, notify the applicant of the fee deficiency.

- ☐ Insufficient fee by check
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If you have any questions, please contact Cynthia Streater at 703-306-5430 or Eleanor Kurtz 703-308-3642

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Number: 501330

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## Holder

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## Details

Category Code: NONGOVNMNT

Type: REGULAR

Notification Amt: 0.00

Status

Access Code: 0222

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☐ Closed

CNGUYEN

12/16/2004